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"NORTH CAROLINA—POWERFUL IN MORAL, INTELLECTUAL AND PHYSICAL RESOURCES—THE LAND OF OUR HEROES AND THE HOME OF OUR AFFECTIONS."

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SPEECH OF MR. RAYNER, OF NORTH CAROLINA,

On the bill making an appropriation for the improvement of harbors and rivers, considered with reference to the foreign relations of the country. In Committee of the Whole of the House of Representatives, February 26th, 1845.

Mr. RAYNER said—

He questioned the policy of so heavy an expenditure at the present time. He thought the appropriations proposed by the amendment of the gentleman from Kentucky (Mr. TIBBATS) were not only large, when the present threatening foreign relations of the country were considered, but too sectional; and if such a bill was to pass, he wished to see its provisions made more general, so as to embrace in its benefits his own State. He was not to be misunderstood. His opinions in regard to the constitutional power of Congress, on the subject of Internal Improvement, were less stringent than when he first entered public life. He admitted the power and the expediency of improving those great thoroughfares of commerce, and channels of inter-State communication, with which were identified the interests of a large section. Rivers, like the Mississippi and Ohio, which ran through many States, and which were the natural outlets for their commerce, he considered it within the competency of the General Government to improve. He admitted the power of Congress also to improve harbors, and the mouths of smaller rivers, when necessary to the advancement and convenience of commerce with foreign nations. This exercise of this power of improvement was fraught with great difficulty; so difficult did it frequently prove, to discriminate between objects that were national, and those that were purely local. It was, also, a subject on which legislation was too seldom matured, with reference to the intrinsic merits of the objects under consideration. Combinations between different portions of the country usually secured appropriations, which weak and less important sections could not obtain, no matter how palpable the claims. He (Mr. R.) had been endeavoring, for every session since he had a seat in that House, to obtain an appropriation for reopening an inlet on the coast of North Carolina. He had, however, until the last session, consoled himself with the fact, that the hitherto embarrassed condition of the Treasury had arrested nearly all such improvements throughout the country. That difficulty was now removed—the revenues of the nation were abundant and prosperous—and he insisted, that if these works of improvement were to go on, that the claims of North Carolina should be regarded. And although he questioned the propriety of so heavy an expenditure at present, yet he might vote for the bill, if its benefits were made general, and if the justice of the House would grant him an appropriation for reopening Roanoke Inlet, and the establishment of a safe harbor on that perilous coast. Whilst he might be willing to vote for such a bill as would provide for a fair and equitable distribution of its benefits, yet he protested against a profligate expenditure of millions for works merely sectional and local; more especially when effected by the combination of different interests, neither of which had merit of its own enough on which to stand. He gave notice now, that if this system was to be pursued, he should insist upon an appropriation for eastern North Carolina's great and favorite object—the reopening an inlet, and improvement of harbor, near and Roanoke Inlet, through which Sir Walter Raleigh's fleet first approached our shores.

Mr. R. said he then gave notice, that at the proper time he should move to amend the bill, by adding an appropriation for effecting this great improvement. And under no circumstances would he vote for the bill, unless his amendment succeeded. This was no new and visionary scheme. It had been recommended to the favorable notice of the General Government, by the Legislature of North Carolina, fourteen different times, as he believed. A survey had been made under the direction of the General Government, four different times, he believed; and it had always been recommended as one of the most important improvements in the country. It had been, to his own knowledge, twice reported on favorably to this House, by the Committee on Roads and Canals—twice by a select Committee, raised specially with a view to considering the subject. It had ever been recommended as not only important to the commerce of that vast and fertile section of country, watered by the tributaries of Albemarle Sound, but to the whole coastwise commerce between the North and the South. I presume it is well known, (said Mr. R.), that the site of the work which I propose is on the most dangerous part of the whole Atlantic coast. Whilst most subject to storms, it is, at the same time, most destitute of a safe harbor, in which for vessels to seek security. There is not a season that numbers of vessels are not lost, and numbers of lives sacrificed here, for the want of a secure refuge in time of storms. Humanity, as well as justice, to North Carolina, and the great commercial and naval interests of the Union, require that this work should be effected by the Government. It is northern vessels, northern crews, and northern cargoes, that are put in peril for the want of it. The increased rate of insurances paid

by northern shippers, in consequence of the dangers of this very part of the coast, would pay for the completion of the work in a very short time. Gentlemen are mistaken, if they suppose that this is a mere local question, in which North Carolina is interested. If any work can be national—if Congress can do any thing of the kind for the protection of commerce—this, surely, presents a case for its favorable consideration.

But the improvement I propose, and for which I intend offering an amendment, is not less important in a naval, than a commercial point of view. The opinions of the most experienced engineers, whose attention has been directed to this object, concur in the great importance and vast benefits resulting from the accomplishment of the proposed work, not only to the State of North Carolina, but to the whole Union. In a report made by Gen. Bernard, Lieut. Col. Gratiot, and Major Totten, Board of Engineers in the service of the United States, in 1830, they use the following language: "We shall merely remark that, if the plan be carried into successful operation, whether we consider the profits of commerce, the dangers of shipwreck, pursuit by an enemy, or convenience as a point of departure and refreshment for our own privateers and vessels of war, a harbor will be formed precisely in that part of the coast where it is most needed." Again, in a report made by Capt. Bache, of the Topographical Engineers, on this same subject, the author says, in reference to the re-opening of Roanoke Inlet, that "it is an object of more extensive usefulness than any other work of a similar character in our country." These are high authorities, coming from scientific men, and which are worthy the serious consideration of Congress.

In a report, made by Major Gwynn, one of the most competent engineers in the United States, on a survey of the waters of Albemarle Sound, with a view to such an improvement as I propose, dated May 27, 1840, the author says—

"The opening of Roanoke Inlet is a subject which has long and anxiously engaged the attention of the authorities of the State. It has been frequently brought before Congress; and I believe no work presents stronger claims to the patronage of the General Government.

"The register of Captain Pew, keeper of the Roanoke marshes light-house, numbers 1,450 vessels, passing and repassing during the year ending 31st December, 1839, making the shipping about 100,000 tons.

"The amount of property and lives lost on the coast immediately adjoining the inlet, for a distance of fifteen miles on each side of it, presents a frightful list, and a strong appeal to the protection and humanity of the Government.

"Between the year 1824 and the present period, there have been (as nearly as I could ascertain) 113 vessels wrecked which, averaging fifty tons each, would make, together with the cargoes, a loss not much short of \$350,000; and with these vessels, 234 souls have found a watery grave.

"This list, fearful as it is, would be greatly swelled if we had the means of adding to it the number of vessels wrecked on the remainder of the adjacent coast and off Cape Hatteras, in consequence of being compelled, by the closing of Roanoke Inlet, to encounter the hazard of passing this dangerous promontory."

The appropriation I shall ask for will not be considered extravagant, when the vast importance of the work is considered. I shall ask for no more than can be reasonably expended in the course of the year. Let it be recollected that North Carolina obtains but few favors from the General Government. Her share is but scanty, either in the patronage of its officers or the expenditure of its money. No State loves the Union more, and no State receives less of benefits. I now stand here claiming nothing but justice for her, and I appeal to all to consider her claims.

I am inclined (said Mr. R.) to doubt the propriety of heavy appropriations at this time; because, if I am not greatly mistaken, the foreign relations of the country are such, as to call upon us to preserve our treasure, and to husband our resources, with a view to meet the difficulties, which, I fear, are impending over us. I really fear, that not only is the Constitution in danger of a palpable infraction, which is likely to destroy the hold of the Government upon the affections of the people; but if the Texas and Oregon questions now pending before the Senate should pass, I honestly believe that we may at once put ourselves in readiness to meet the horrors of war. We may need, and, I fear, shall, every dollar of the nation's treasure, to pay our soldiers and our sailors who are to fight our battles. I think it probable, that before another year shall rise and set, the questions of peace or of war—of constitutional restraint or of unbridled party rage—will be irrevocably decided. I affect no undue reverence for our institutions, when I declare that I shudder in contemplating the result. I greatly fear the issue will show, that our country, in its rapid ascent to greatness and glory, has reached its culminating point, and that its descent downward in the road to ruin, will be in a corresponding ratio.

We are now (said Mr. R.) in Committee of the Whole on the state of the Union; and in considering the state of the Union

generally, I propose, in accordance with the course of other gentlemen, to examine it with reference to our foreign relations. And I do this the more especially, because, when I addressed the House a few days since, I was prevented, by the expiration of my hour, from delivering my views at length, on the question of Texas annexation, and other kindred topics. In the remarks which I then made, it will be recollected that I confined myself principally to the constitutional view of the question. I did not choose to enter in the question of expediency. I did not then, as I do not now, consider it necessary to entertain the question of expediency, till that of power had first been decided. It matters not whether the glowing descriptions we have had of Texas be fanciful or real. Admit all that the most earnest advocates of Texas annexation, as proposed by the action of Congress, to be true—admit that it is a land of general sunshine and perennial flowers—admit that it teems with all the rich and abundant products of a bountiful nature—admit that it is prolific of all the resources of commerce, and of national prosperity and glory;—yet what are all these in value, compared with the Constitution of our country? Arguments like these are addressed to our national cupidity and pride, and to the selfishness of our nature, rather than to our fealty to the Constitution, and our conscientious convictions of duty. They are the arguments with which Ahab reconciled to himself the seizing of Naboth's vineyard. They are the arguments which the Gothic chieftains addressed to their followers, when leaving their forest homes for the pillage of Italy's sunny plains.

Mr. R. said, that in further examination of the question of power to annex Texas by action of Congress, he would proceed to notice one or two other arguments which had been urged in its favor. It had been frequently insisted on during the debate, that by the terms of the treaty of 1803, this Government was bound to admit Texas into the Union. This argument was earnestly and forcibly urged by the gentleman from Illinois, Mr. Douglas. The clause of the treaty under which the pretence is set up, is as follows:

"The inhabitants of the ceded territory shall be incorporated into the union of the United States, and admitted as soon as possible, according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States; and, in the mean time, shall be protected in the free enjoyment of their liberty, property, and the religion which they profess."

Now, to what "inhabitants" does this apply? Of course to those who then inhabited the country—to the people of Louisiana; and so far as they were concerned, the terms of the treaty have been strictly complied with. There were no inhabitants, either French or American, then in Texas proper, who could have rights vested under the treaty. Texas was then for the most part a wilderness. The parties to the treaty were France and the United States; and France has not complained of our non-fulfillment of the treaty. And as to the Spaniards then in Texas, instead of urging rights under the treaty, they chose to prefer the Spanish and Mexican dominion. Or, if the terms of the treaty did enure to those who might afterwards become inhabitants of the territory, still the inhabitants of Texas proper submitted to the treaty of cession to Spain in 1819, passed quietly under the Spanish dominion, took the oath of allegiance to the Spanish Government, and thereby disfranchised themselves of all claim upon the Government of the United States. They thereby recognized and submitted to the claims of Spain under the treaty. And those who emigrated to Texas after the treaty of 1819, went to Texas as a Spanish or Mexican province; expatriated themselves in so doing, and went there to take advantage of the benefit proffered to American emigrants by the Spanish and Mexican authorities. How, then, can the people of Texas set up a claim under the treaty of 1803, when it is a notorious fact that they went to Texas expressly for the purpose of availing themselves of benefits, which Spain and Mexico acquired the power of conferring under the treaty of 1819? Why, then, is the treaty of 1803 so often alluded to? It will not be denied that this Government has the power, in adjusting a question of boundary, to transfer a portion of its territory. We have had a late instance of that in the Ashburton treaty. The gentlemen from Illinois admitted this. He admitted we had lost our claim and forfeited our right to that country. But yet he said a breach of faith on our part, could not absolve us from the moral or legal obligation to fulfil our solemn treaty stipulations, when required to do so by the other party. A breach of faith! And to what "other party"? France was the other party. So far as she stipulated for terms to her citizens they have been complied with and France has never complained. As to Texas, there were no people there to become parties in 1803; and, as we have already shown, those who went there afterwards, went to receive benefits under the treaty of 1819, which ceded Texas to Spain. Strange argument, truly! Gentlemen justify Texas for revolution; and with propriety, too—because the rights and privileges of the Mexican Confederacy,

to which they became entitled under the treaty of 1819, were violated by Santa Anna, and at the same time claim for her the power to waive those rights and privileges under the treaty of 1833. It was as a part of Mexico—as owing allegiance to Mexico—as resisting her lawless and unconstitutional usurpation—that the revolution of Texas was effected, and its independence established. In this consists all the glory and patriotic associations of the Texan revolution. And it is a reflection on the people of Texas themselves—it is countenancing all the charges of robbery, and plunder, and speculation, so often charged against them—to intimate that they effected their revolution as quasi American citizens, with hopes, prospects, claims, and vested rights, in the benefits of our Union. I choose rather to think that they were satisfied with, and fully recognized, the authority of the Mexican Constitution of 1824; that they were not stimulated with the hope or expectation of becoming a member of this Union; but that from pure, instinctive love of constitutional freedom, they took up arms.

Another serious difficulty to which this question is likely to give rise, is one growing out of the public debt of Texas. I am not speaking of its assumption on our part, by any express stipulations to be provided for in the contract of union, but of the relation in which it is likely to place us towards the foreign creditors. As an act of national suicide in an anomaly in the history of international law, yet it may well be questioned, whether by the acquisition of the territory and jurisdiction over Texas, we do not virtually assume her debts, in securing to ourselves the means on which rests her ability to pay them. If this presents a case for which there is no precedent in national law, what is likely to be the concurrent opinion of the powers of the civilized world? If national law does not bind us, will not the appeals to our national justice be irresistible? Will the civilized world hold us blameless, if we convert to our own use the resources and the means of Texas, and yet refuse to discharge the liabilities? Vattel says, speaking of the rights flowing from conquest, "The debts of a nation, or those speaking of the rights flowing from conquest, "The debts of a nation, or those for which the sovereign power has mortgaged some of his towns or provinces, are not expunged by the conquest. The King of Prussia, on acquiring Silesia by conquest, and by the treaty of Breslau, took upon himself the debts for which that province was engaged to the English merchants." But if the annihilation of her voluntary surrender to this Government, presents a case for which there is no precedent to bind this Government for her debts, yet, what must be our awkward position, in case the lawful usages of nations are required to, in order to enforce payment from Texas? According to the national law, any debtor government in default, subject itself to reprisals and war on the part of that government which is, or whose citizens are, the creditor. Under this known responsibility, Texas incurred her debt. With this known final report for payment, the parties lending became her creditors. Now, suppose a large portion of the debt of Texas to be due to citizens of Holland, France, or England, as I learn it is. Texas borrowed the money as a sovereign power, under a full knowledge of the responsibilities incurred by it; can she, by entering our Union, discharge herself from the liability of reprisal and war, in case of nonpayment? Could either one of those powers be expected to relinquish this right of coercion, because the sovereign power contracting no longer existed? And suppose either of them should resort to this *ultima ratio* of national disagreement, what would be the attitude of the Government of the U. S. as to Texas? Texas would then be a portion of this Union. In our relations to, and differences with foreign nations, we occupy the position of a consolidated people. We can know no sectional responsibilities which do not appertain to the whole. War upon Texas would be war upon the American Union, which national pride and national honor would compel us to repel by force. And thus we should be reduced to the humiliating alternative, of either suffering a portion of our country to be overrun and pillaged by a foreign power, regardless of the obligation of the Government to protect it; or of waging a war in opposition to a claim established and sanctioned by the laws of the civilized world.

It may, perhaps, be said, that this argument would apply to the indebted States of this Union, who refuse to pay their foreign creditors. Not at all. As I have intimated before, in our national relations and responsibilities, we are a united people. In order to subject ourselves to the ordeal of liability to war, the Government of the Union must have its faith involved. Other nations, and the people of other nations can know us and deal with us, on our national responsibility under the laws of nations, only as a consolidated Government. The foreign creditors of the States knew, or should have considered this, when investing on the faith of the States. In the contracting their debts by the States, the Federal Government had no agency, or even knowledge. The loans of foreign citizens to the States must, therefore, rest purely on corporate faith, without involving the responsibility recognized by the laws of nations, for their

ultimate payment; because, under our institutions there can be no relations under the national law, between one of the States of this Union and a foreign government. Not so with the debts of Texas. She incurred her debt in her national character, and under her national responsibility. She cannot, by an act of political suicide, shake off that responsibility. It will adhere to her people, who have enjoyed the advantages of the money borrowed, and to her territory, from whose resources must be derived the means of payment.

Now, sir, is not this question of war one which deserves our most serious consideration? We not only hazard the probability of a war with Mexico, but the liability of war with other powers, growing out of the question of the debt of Texas. As to a war with Mexico—I do not pretend that it should follow, for, as I have already said, I do not think that Mexico has any right to interfere, or to complain as to how Texas shall dispose of herself, her rightful territory, and resources. Texas is an independent power—a sovereign State—so recognized by the commercial nations of the World; and Mexican pride and obstinacy cannot unseize relations, which rest upon the decision of the enlightened mind of the civilized world. But, even if war with Mexico ought not to follow—the probability, the almost certainty, is, that it will follow. And, although I have no fears that this war would be any thing more than one of commercial privation, yet, in such a war, the risk would all be on our side. Our commerce is one of the great sources of our national wealth and national glory; it is carrying our name, our flag, our religion, and our love of liberty, into every portion of the globe. The Gulf of Mexico and the West Indian Archipelago are whitened with its canvases, and are the great treasuries of its traffic. Whilst Mexico has but little commerce to attack, ours would be the constant prey of privateers, who would cover the ocean under the Mexican flag. The restless and turbulent adventures, whose numbers have been so much augmented by the long peace since 1815, throughout Christendom, would here find employment. Our naval establishment would require a garrisoning to a vast extent, involving the expenditure of millions of treasure. I do not pretend to say that these considerations should restrain us from doing that which national duty imposes, and national honor demands, and national honor demands. When these are involved, every patriot should be ready to sacrifice both blood and treasure in their support. But I do insist, that these are considerations which should cause us to pause and consider—o abate the hot haste which is manifested on this subject. Although national faith may not require it, as I believe it does not, yet I do insist that it is the part of prudence, of generosity from a strong to a weak power, that negotiations with Mexico, at least in regard to boundary, should progress *pari passu*, with the negotiations with Texas, in regard to cession. We can lose nothing of honor with Mexico, even in persuading, yes, in paying her for her consent. And, in regard to expense, it would cost us much less than a war, bloodless though it might be on our land, which would inevitably follow, without obtaining her concurrence. So that, whilst in point of honor we could not be the loser, in point of expense we should be greatly the gainer.

Mr. Chairman, the policy of the age in which we live in all civilized countries, is to adjust national differences and difficulties by peaceful negotiation. The spirit of the age is opposed to the arbitrament of the sword. The twenty-five years' war subsequent of the French revolution which deluged the fields of Europe in blood, has taught this piece of wisdom to the world. Martial glory and conquest no longer furnish the stimulus to human ambition and adventure. They have been supplanted by the means of truth, luxury the arts of peace—the pursuit of science, and the physical improvement of the material world. And no people on the globe are so deeply interested in the continuation of this policy as ourselves. Separated by a vast ocean from all the great powers of Christendom we have neither the inducements or opportunities of acquiring glory in arms. With a country of almost illimitable extent, combining all the sources of wealth and comfort, furnishing the productions of almost every climate, with rivers, and mountains and lakes and prairies whose very grandeur is calculated to enlarge and sublimize our moral perceptions; with a mighty ocean lavishing our shores and inviting our commerce to distant climes; with institutions guaranteeing in us as much liberty as man can safely enjoy; with all the arts of peace, and the blessings of science, education and religion, to hallow our native homes; with all these advantages, which flourish most in peace, it is our interest as humanity should make it our wish, to avoid war, unless demanded by national honor.

No one has pursued over the pages of history, recounting the achievements of military prowess, with more avidity than I have. No youthful heart was ever fired with more ardor than mine in pursuing the exploits of military greatness. Under the untempored influence of youthful dreams, it was the feeling of my early life to look upon military achievement as the only road to glory. But this, like many other youthful visions, has faded before the realities of time. Reflection has taught me to believe, that the horrors and agonies of mere war,

are not calculated to elevate the moral sensibilities of our nature, or to advance the moral and social condition of a nation. Bravery and generosity are, to be sure, qualities which must ever command admiration; but the exploits of that soldier only deserve the homage of praise and sympathy, who draws his sword in a righteous cause, and in defence of a wronged country. I have been surprised, as well as pained, to witness the apparent anxiety for war, which is frequently exhibited here. If the subject did not involve consequences so serious, it would be truly amusing, to listen to the magnificent flourishes and high-sounding praises, with which some gentlemen speak of their readiness for war—of our ability to cope with all the powers of the world, and of the glory and triumph which await us in case of a conflict. This has ever been the language of poetry. It is a much more easy matter to plan campaigns on paper, than to undergo the toil and hardship of camps—to fight battles in pompous declamation, than on the tented field, surrounded by the dying and the dead. Horace could write soul-stirring verses upon the glory of war and valor in arms; but, when brought to witness the reality he fled ingloriously, leaving his shield behind him. Unfortunately for mankind, the duty of wagging and conducting war rarely falls to the lot of those, whose passions and indiscretion plunge nations into it. Rashness and folly may easily plunge a nation into difficulty, whilst patriotism and valor can alone confront that danger. Timidity may suggest, and even impose on others, labors, from which it would shrink in horror. The Cimbrian assassin who threw down his dagger, and fled in affright at beholding the calm and noble countenance of Marius, would, no doubt, have considered the mighty Roman to death without a pang of emotion, had he held a seat in the Senate house, and it had depended on his vote.

Notwithstanding the declarations of the English foreign secretary, Lord Aberdeen to the contrary, the ground has been assumed, and pertinaciously insisted upon that England has designs upon Texas; and that annexation is necessary as a precautionary measure, to anticipate her intentions. And I am sorry to discover, that lurking hostility to England, and a desire to precipitate a difficulty with that power, pervading the tone of debate, and, as I fear, constituting a leading motive in this Texas crusade, and its kindred measure, the occupation of Oregon. I hope I may be spared the humiliation of witnessing the disasters which await my country, in case reckless counsels should plunge us into a war with England, in our present unprepared condition. Gentlemen talk of our ability to contend with her, and of our means of inflicting irreparable injury on her; and the gentleman from Illinois (Mr. Westcott) has more than once, I think, alluded to the American eagle driving the British lion off the continent.

The greatest captain that ever led an army once declared that he would "plant his eagles on the ramparts of Lisbon, and drive the English lion into the ocean." But that English lion still kept his head to the north-west, and never stopped his pace, until he had climbed the stupper of the Pyrenees, and driven the French eagles from their mountain eyries. And similar, I fear, would be the realization of the vantage predictions, so rife on this floor, in case we should be hurried into a war, in our present unprepared state. Let me not be misunderstood. I am not underrating my country's powers and strength. So far from it, I think too much of its honor, its glory, and its greatness, to endanger either, by precipitately exposing it to hazard through want of preparations. Train the American soldier, and he is inferior to none on earth. The same Anglo-Saxon endurance, which constitutes the excellence of the British soldier, enables the American to encounter him with equal chances. Put our country in preparation, and it can, as I believe defy the world. But it is idle to think of raw recruits contending with veterans. It is absurd to suppose that a few ships of the line can compete with fleets that cover the ocean. Time must arouse the public mind to a sense of danger—the national spirit of our people must be fully awakened—before our powers can be exerted; and its capability for mighty efforts realized. Gentlemen had better calculate the strength of England before they provoke a controversy with that mighty power—on account of some imaginary interference by her in Texas, which she has repeatedly disclaimed—before they assume exclusive jurisdiction over Oregon, which we hold in joint occupancy with England, under the solemn stipulations of a treaty. Let them reflect upon the horrors and disasters of war, before they plunge us into its vortex. Let them reflect how many widowed hearts it would cause to bleed—how many suffering orphans it would make every forlorn. Let them consider how many acres it would leave uncultivated—how many seats of commerce it would furl—the cheerful blaze of how many hearths it would extinguish. And let those who boast of their democratic tendencies reflect, that it is not the tenants of place and power, it is not the wealthy and the luxurious, it is not the politician and the statesman, but it is the poor man, who must meet the brunt and toil of war. War takes the poor man from his wife and children, when they most need his protection; and imposes additional expense upon the Government.